

#JFW



SEP 27 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,639	04/09/2004	Tadao Kikumoto	230980-0268

23392
 FOLEY & LARDNER
 2029 CENTURY PARK EAST
 SUITE 3500
 LOS ANGELES, CA 90067

CONFIRMATION NO. 9015

FORMALITIES LETTER



OC000000013519571

Date Mailed: 08/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$602** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1502** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

09/28/2004 MBIZUNES 00000096 10821639

01 FC:1001
 02 FC:1051
 03 FC:1201


770.00 OP
 130.00 OP
 602.00 OP

- Total additional claim fee(s) for this application is **\$602**

- **\$602** for 7 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

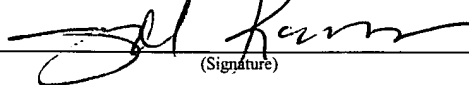
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tadao KIKUMOTO
Title: WAVEFORM GENERATING
DEVICE
Appl. No.: 10/821,639
Filing Date: 4/9/2004
Examiner: Not assigned
Art Unit: Not assigned

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p align="center"><u>Jose Ramos</u> (Printed Name)</p> <p align="center"> (Signature)</p> <p align="center"><u>September 22, 2004</u> (Date of Deposit)</p>

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed August 12, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

☒ [X] Declaration and Power of Attorney (3 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

☐ [X] Return Copy of Notice to File Missing Parts

☐ [] Translation

☐ [] Drawings

☐ [] Preliminary Amendment

☐ [] Claim for Convention Priority and certified copies of priority document

☐ [] Information Disclosure Statement

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
☐ Extension for response filed within the second month
☐ Extension for response filed within the third month
☐ Extension for response filed within the fourth month
☐ Extension for response filed within the fifth month

☐ Other:

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	17	- 20	= 0	x \$18.00	= \$0.00
Independents:	10	- 3	= 7	x \$86.00	= \$602.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$1,502.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,502.00
				TOTAL FEE	= \$1,502.00
Difference to pay:				- \$0.00	- \$1,502.00

☒ Check in the amount of \$1,502.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

☐ Please charge Deposit Account No. 50-0872 in the amount of \$1,502.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: September 22, 2004

FOLEY & LARDNER LLP

Customer Number: 23392

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By:


Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933